

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

ELOISA COSAJAY Plaintiff, v. SELENE FINANCE LP and ATLANTICA, LLC Defendants.	Civil Action No. 19-cv-00178-WES-LDA
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**MOTION OF SELENE FINANCE LP AND ATLANTICA, LLC
TO DISMISS COMPLAINT**

IN THE ABOVE-CAPTIONED ACTION, Eloisa Cosajay (the “Plaintiff”) alleges three (3) claims against the defendants. However, nowhere in her complaint does the Plaintiff allege facts to support her claims. For these reasons, Selene Finance LP (“Selene”) and Atlantica, LLC (“Atlantica”) move pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss the Plaintiff’s complaint. In support of this motion, Selene and Atlantica state as follows.

WHEREFORE, Selene and Atlantica respectfully request that this Court enter an order:

1. Dismissing Plaintiff’s claim for injunctive relief;
2. Dismissing Plaintiff’s claim for declaratory judgment;
3. Dismissing Plaintiff’s claim for violation of the Fair Debt Collection Practices Act; and
4. Granting Selene and Atlantica such other and further relief as is just and proper.

Respectfully submitted,

SELENE FINANCE LP and
ATLANTICA, LLC,

By their attorneys,

/s/ Michael E. Swain

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DATE: June 7, 2019

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CERTIFICATE OF SERVICE

I, Michael E. Swain, Esq. of the law firm of Sassoon & Cymrot, LLP, counsel for defendants Selene Finance LP and Atlantica, LLC hereby certify that I have this 7th day of June 2019 served the Motion of Selene Finance LP and Atlantica, LLC to Dismiss Complaint and this Certificate of Service by causing copies hereof to be sent by electronic mail via the electronic court filing system (ECF) and by first-class U.S. mail (M) to all parties not appearing electronically but entitled to service per the Federal Rules of Civil Procedure.

John B. Ennis, Esq.
1200 Reservoir Ave
Cranston, RI 02920 (ECF)

/s/ Michael E. Swain, Esq.
Michael E. Swain, Esq.